

## **REMARKS**

In the Official Action mailed on **24 August 2005**, the Examiner reviewed claims 1-33. Claims 1-33 were rejected under 35 U.S.C. §101 because the claimed invention is drawn to non-statutory subject matter. Claims 1-5, 7-9, 12-16, 18-20, 23-27, and 29-31 were rejected under 35 U.S.C. §102(b) as being clearly anticipated by Walster (*Intervals and HPC*, 11/4/2000, hereinafter "Walster"). Claims 10-11, 21-22, and 32-33 were rejected under 35 U.S.C. §103(a) as being unpatentable over Walster, in view of the taking of Official Notice. Claims 6, 17, and 28 were objected to as being dependent upon a rejected base claim.

### **Rejections under 35 U.S.C. §101**

Claims 1-33 were rejected because the claimed invention is drawn to non-statutory subject matter.

Applicant has amended claims 1-11 to clarify that these claims are directed to a computer program product. These amendments find support in FIGs. 1 and 2 and in paragraphs [0031]-[0038] of the instant application. Applicant has amended independent claim 12 to limit the computer-readable storage medium to tangible embodiments. These amendments find support in paragraph [0030] of the instant application. Applicant respectfully points out that the apparatus claimed in claims 23-33 of the instant application includes a hardware implemented arithmetic unit for performing interval operations (see FIG. 3, element 104 of the instant application).

### **Rejections under 35 U.S.C. §102(b) and 35 U.S.C. §103(a)**

Independent claims 1, 12, and 23 were rejected as being clearly anticipated by Walster.

Applicant has amended independent claims 1, 12, and 23 to include allowable limitations from dependent claims 6, 17, and 28, respectively. Dependent claims 4, 6, 15, 17, 26, and 28 have been canceled without prejudice. Dependent claims 5, 7, 16, 18, 27, and 29 have been amended to correct antecedent basis.

Hence, Applicant respectfully submits that independent claims 1, 12, and 23 as presently amended are in condition for allowance. Applicant also submits that claims 2-3, 5, and 7-11, which depend upon claim 1, claims 13-14, 16, and 18-22, which depend upon claim 12, and claims 24-25, 27, and 29-33, which depend upon claim 23, are for the same reasons in condition for allowance and for reasons of the unique combinations recited in such claims.

### CONCLUSION

It is submitted that the present application is presently in form for allowance. Such action is respectfully requested.

Respectfully submitted,

By



Edward J. Grundler  
Registration No. 47,615

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Edward J. Grundler  
PARK, VAUGHAN & FLEMING LLP  
2820 Fifth Street  
Davis, CA 95618-7759  
Tel: (530) 759-1663  
Fax: (530) 759-1665  
Email: edward@parklegal.com